

REMARKS

Claims

Claim Rejections Pursuant to 35 U.S.C. §103

A. Claims 1 – 36 Rejection

Claims 1-3, 6-19, 22-27 and 30-36 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Shwarts (U.S. Patent No. 6,144,380) and Weeren (U.S. Patent No. 6,501,956). Claims 4-5, 20-21 and 28-29 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Shwarts (U.S. Patent No. 6,144,380), Weeren (U.S. Patent No. 6,501,956) and Nielsen (U.S. Patent No. 5,854,630). Applicant respectfully traverses these rejections for at least the following reasons.

The Examiner fails to make out a prima facie case of obviousness.

35 USC §103(a) recites:

[a] patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Accordingly, MPEP 706.02(j) states:

To establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the references or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art

and not based on applicant's disclosure. In re Vaeck, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

The present Office Action has rejected independent Claims 1, 27, 35 and 36. With respect to Claim 1, Shwarts teaches the use of browser to move between pages of a book or single deck, and *fails to disclose* the use of a jump menu to move between at least two decks. Applicant respectfully submits that the present Office Action fails to address at least the element, in amended claim 1, of “displaying a jump menu on the wireless communication device in response to the jump menu navigational request, wherein the jump menu comprises menu items for directly navigating to at least two cards, and wherein at least one of said two cards is in said first deck and wherein at least one of said two cards is in a second deck.” *Amended Claim 1*. The present invention is distinct from Shwarts at least in that the present invention can navigate a plurality of cards in at least two decks, rather than navigation between single cards in a single deck. Applicant respectfully submits that at least this element is not taught, nor does the present Office Action suggest this element is taught, by the combination of Shwarts and Weeren.

Applicant further respectfully submits that the present Office Action again fails to address at least the element of “storing the sequence of displayed cards in a memory associated with the server computer.” *Original Claim 27 [emphasis added]*. Applicant respectfully submits that at least this element is not taught, nor does the present Office Action suggest that this element is taught, by the combination of Shwarts and Weeren.

With respect to Claims 35 and 36, Shwarts teaches the use of browser to move between a first page, a next page, and a previously visited page of a book or single deck, and *fails to disclose* the use of a jump menu allowing navigation to each card in the set of previously visited cards. Applicant respectfully submits that the present Office Action fails to address at least the element, in original claims 35 and 36, of “creating the jump menu, the jump menu containing an

entry for the home card, the current card, **and each card in the set of previously visited cards.**”

Original Claim 35 and Original Claim 36 [emphasis added]. The present invention is distinct from Shwarts at least in that the present invention provides a jump menu allowing navigation to each card in the set of previously visited cards. Applicant respectfully submits that at least this element is not taught, nor does the present Office Action suggest this element is taught, by the combination of Shwarts and Weeren.

B. Dependent Claims

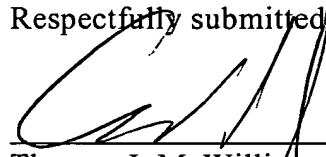
Applicant respectfully submits that Claims 2–26 and 28–34 are not obvious under § 103(a) as being unpatentable over the cited art, at least by virtue of these claims’ ultimate dependency upon a patentable base claim, namely Claims 1 and 27, respectively.

CONCLUSION

Wherefore, Applicant believes he has addressed all outstanding grounds raised by the Examiner and respectfully submits the present case is in condition for allowance, early notification of which is earnestly solicited. Should there be any questions or outstanding matters, the Examiner is cordially invited and requested to contact Applicant's undersigned attorney at his number listed below.

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Respectfully submitted,



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